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October 12, 2012

VIA ECF

Honorable Viktor V. Pohorelsky
United States Magistrate Judge
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: Venice Gaddy v. City of New York, et al., 12-CV-1136 (KAM)(VVP)

Your Honor:

I am a Special Assistant Corporation Counsel in the office of Michael A. Cardozo, Corporation Counsel of the City of New York, representing defendant City of New York in the above-referenced matter. I am writing pursuant to Your Honor's directive during the telephone conference on October 4, 2012, requiring the City to update the Court as to the status of the defendant officers' disciplinary records.

As Your Honor knows, the plaintiff in this case is alleging that on December 11, 2010, she was falsely arrested of loitering, assaulted, strip searched and released with a summons for disorderly conduct. I have sought the defendant officers' disciplinary records from the NYPD Internal Affairs Division ("IAB") and the Civilian Complaint Review Board ("CCRB") for substantiated and unsubstantiated complaints, substantially similar in nature to the claims alleged in plaintiff's complaint, and false statements up to 10 years prior to the date of plaintiff's incident. Accordingly, I have reached out to both the NYPD and CCRB in an attempt to obtain the documents at issue.

With respect to Officer Monique Lewis,¹ this office determined that there were 24 complaints, consisting both of IAB and CCRB complaints. Of the 24 complaints we have obtained the underlying records for 17 of the complaints. We are still searching for one additional IAB file and/or any records pertaining to that particular complaint that may exist. In

¹ At this time, I am reviewing the documents to determine whether Monique Lewis is a subject of the complaint(s) or a witness.

addition, we have learned that two CCRB complaints are still open and under investigation and, consequently, cannot obtain the records for an open investigation. We have further ascertained that the NYPD cannot find any record of the four remaining complaints.

With respect to Officer Omar Lewis,² this office determined that there were 19 complaints, again consisting of both IAB and CCRB complaints. We have obtained the underlying records for 14 of the complaints. Of the five remaining complaints, we are still searching for one IAB file and/or any existing documentation pertaining to that particular complaint. We have ascertained that the NYPD cannot find any records for two of the IAB complaints. In addition, we have been informed by the CCRB that they have no records for two of the complaints.

Some of the files mentioned above consist of more than 100 pages. I am in the process of reviewing the documents and given the voluminous nature of the documents, I contemplate that I will be able to produce them to plaintiff's counsel, subject to the Stipulation and Protective Order which was previously endorsed by Your Honor, within the next two weeks.

Thank you for your consideration in this matter.

Respectfully Submitted,

/s/

Deborah L. Mbabazi
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² Similarly, I am reviewing the documents to determine whether Omar Lewis is a subject of the complaint(s) or a witness. Although both defendant officers have the same surname, they are not related.